

AREA DESCRIPTION  
VOLUNTARY ZONING  
DORAN ADDITION AREA---HAMILTON, MONTANA

A tract of land situated in Section 31, T6N, R20W, P.M.M., described as follows:

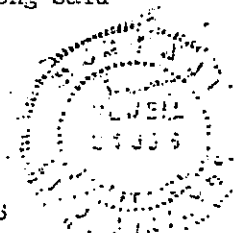
Beginning on a point 292 feet west of the NE 1/16 corner of said section 31, said point being the NE corner of that tract deeded to Kochis in Book 137, Page 346, Deeds, Ravalli County, Montana; thence south 394 feet to the NE corner of the Dye tract, as described in Deeds, Book 135, Page 350; thence south 322.5 feet to the NE corner of the Tossberg tract as described in Deeds, Book 143, Page 50; thence south 1282 feet; thence east 310 feet, more or less, to the NE corner of the Johnson tract, as described in Deeds, Book 138, Page 222; thence south 660 feet to the SE 1/16 corner of said section 31; thence west 660 feet, more or less, to the NE corner of the Pickens tract as described in Deeds, Book 124, Page 181; thence south 660 feet; thence west 660 feet; thence north 660 feet to the 1/16 line; thence west along Lewis Lane to it's junction with Doran Lane, at the SW 1/16 corner of said section 31; thence north along Doran Lane approximately 1/4 mile to it's junction with the Golf Course Road; thence east along the Golf Course Road to it's junction with Kurtz Lane; thence north along Kurtz Lane to a point 296.2 feet north of the SW corner of Lot 13, Block 1, DALY ACRES, said point being the NW corner of the Grenfell tract as described in Deeds, Book 127, Page 317; thence east along the north line of the Grenfell tract to the NW corner of the Leibell tract as described in Deeds, Book 131, Page 832; thence east along the north line of the Leibell tract to it's junction with the Rim Ditch; thence SE along the Rim Ditch to it's junction with the Big Corral Road; thence S15°15'W along the Big Corral Road to it's junction with the Golf Course Road; thence east along the Golf Course Road to the point of beginning.

Excepting therefrom, the Mann tract, described as a tract of land in Lots 12 and 15, Block 1, DALY ACRES, Ravalli County, Montana, according to official plat thereof, described as beginning at a point on easterly line of said Lot 12 and south 15°15' west 497.5 feet from the northeast corner of Lot 12, thence from said point of beginning south 15°15' west 44.50 feet; thence north 80°50' west 250.0 feet; thence north 7°45' east 302.55 feet; thence south 37°10' east 150.10 feet along west side of a Main Lateral Ditch; thence south 42°28' east 193.00 feet along said ditch to point of beginning.

The Proposed Zoning Area contains approximately 172 acres.

*J. P. Powell*

Registered Land Surveyor  
Montana Registration 2196-S  
February 23, 1978



6403

Now, the petitioners being more than 70% percent of the freeholders of property described in the petition signed on April 20, 1978, and by the attached map do respectfully request that the following restrictions be adopted for said property, thereby creating an agricultural-residential zoning district.

1. Present uses: Present agricultural and residential uses as of the date of this petition may be continued, notwithstanding anything to the contrary contained hereinafter.

2. Future uses:

- a) No land shall be sold or conveyed which is less than one (1) acre in size, unless it is served by central sewer or water and then the minimum size shall be one-half (1/2) acre.
- b) Keeping of goats or swine in well fenced and clean shelters is permitted with the following limitations:
  1. Goats no more than three, including offspring.
  2. Swine no more than two, including offspring.
- c) Except for those activities necessary in the continuance of agricultural or home occupations, no property shall be used for any industrial or commercial activity.
- d) When sixty percent (60%) of the residents of the zoning area determine that a noxious or offensive activity is being carried on, on any tract, the offending party will be notified and given thirty (30) days notice to correct the situation, before referral to the proper authorities.

3. Building Requirements and Restrictions:

- a) Single family dwelling only shall be constructed, with a minimum of 1,000 square feet of living space.
- b) Modular and prefabricated homes of wood construction will be permitted. Any such home must be at least 24 feet in width, contain a minimum of 1,000 square feet of living space, be located on a permanent foundation, and landscaped.
- c) All dwellings and improvements will be of good, sound construction so as to comply with "construction standards" of FHA. Premises will be maintained in a neat and orderly manner.
- d) No trailer, recreational vehicle, or mobile home will be permitted as a permanent residence, any existing trailer house or mobile home, if removed cannot be replaced.
- e) No building whatsoever shall be located less than twenty-five (25) feet from the boundary line of any tract.
- f) No dwelling shall exceed two and one-half (2 1/2) stories or thirty-five (35) feet in height.
- g) No other structure shall exceed three (3) stories or forty-five (45) feet in height.
- h) Structures to house domesticated animals shall compliment the general architecture of the surrounding dwellings; no shacks or dilapidated structures will be permitted.
- i) All property owners shall build and maintain such fencing as necessary to contain any agricultural animals prior to bringing such animals on the land.

4. General Restrictions:

- a) All garbage and trash cans shall be stored so as to be screened from view and shall have tight covers to prevent escape of odors and entrance of pests and wild life.
- b) Trash and junk cars shall not be accumulated or stored on the premises unless in enclosed buildings.

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5. Separability:

Invalidation of any one of these provisions by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect.

6. Definitions:

For the purpose of this zoning ordinance, certain terms of words used herein shall be interpreted as follows:

Family - One or more persons occupying a single dwelling unit, provided that unless all members are related by blood or marriage, no such family shall contain over five persons.

Single Family Dwelling - A detached residential dwelling unit, other than a mobile home, designed for and occupied by one family only.

Home Occupation - Is an occupation which is carried on in a dwelling or existing structure on the tract and,

1. Is carried on only by a member or members of the family residing in the dwelling unit; and
2. Is incidental and secondary to the use of the dwelling unit for residential purposes.

Which conforms to the following conditions:

- a) Exterior signs or display shall be no larger than 2 1/2 feet square and will not be electrically colored or operated;
- b) There shall be no exterior storage of materials or exterior indication of the home occupation or variation from the residential character of the principal building;
- c) No offensive noise, vibration, electrical interference, smoke, dust, odor, heat or glare shall be produced.

The petitioners regard the size of the "home occupation" as crucial and do not contemplate any such business to be major in scope or its effect on the neighborhood.

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We, the petitioners being more than \_\_\_\_\_ percent of the freeholders of property described in the petition signed on March 14, 1975, and by the attached map do respectfully request that the following restrictions be adopted for said property, thereby creating an agricultural-residential district.

John C. Storer 325 Grant Lane  
John R. Rogers 123 Rosevelt Lane  
John R. Rogers 123 Rosevelt Lane  
Anna O'Brien 112 Grant Lane  
William J. Taylor 113 Golf Course Road  
John J. Jones 107 Grant Lane  
W. L. Nichols 106 Grant Lane  
William J. Brown 120 Rosevelt Lane  
Marion C. Brown 322 Grant Lane  
Frank M. Lenville 108 Rosevelt Lane  
John C. Johnson 322 Grant Lane  
Edward E. Overland 370 Grant Lane  
Robert Russell Marsh 400 S.E. Grant Lane  
Mary W. Berge

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We, the petitioners being more than      percent of the freeholders of property described in the petition signed on March 14, 1978 and by the attached map do respectfully request that the following restrictions be adopted for said property, thereby creating an agricultural-residential district.

~~William E. & Barbara J. Huff~~ SE 300 Grantdale Rd.  
 Harold & Catherine Petet 54201 Grantdale Rd.  
 William & Callie J. Drell SE 405 Grantdale Rd. Hamilton Mt.  
 Joseph T. & Shirley M. Kecher 515 Sun Prairie Rd.  
 Michael B. & Wendy J. & Michael W. Tarsburg 210 Grantdale Rd.  
 Robert Johnson & Joan Johnson 322 Grantdale Rd.  
 William J. & Madeline Smith 209 Grantdale Rd.  
 Joseph E. & Frances Berghelm 130 Grundy Lane.  
 Virginia M. & Robert L. Lowery 115 Grundy Lane.  
 Loren & Rayner 123 Powell Lane.  
 Richard & Maude Curran 116 Doran Lane.  
 James M. & Cecilia C. Ohl 124 Grundy Lane.  
 Mark & Joy E. Davis 107 Grundy Lane.  
 Amberta & Virginia Kallagis 429 Golf Course Rd.  
 Rodney G. & Sandra L. Kerrick 427 Golf Course Rd.  
 OUP & Mary L. Haws 425 Golf Course Rd.  
 Douglas V. & Chelcie Brubaker 423 Golf Course Rd. Hamilton Mt.  
 Douglas, Carl D. & Monica 411 Golf Course Rd. Hamilton, Mt.  
 Pamela O. Hall 323 Grantdale Rd. Hamilton Mt.  
 Joseph T. Gray 407 Golf Course Rd. Hamilton Mt.  
 J. H. Brown 120 Roosevelt Lane Hamilton Mt.  
 Dorothy Mrs. Chaffin 118 Roosevelt Lane Hamilton Mt. 50840  
 R. Mrs. L. H. & Ellen 110 Doran Lane Hamilton Mt. 50840  
 Winston E. Hayden 415 Golf Course Rd. Hamilton Mt. 50840  
 R. B. & Ann J. Taylor 413 Golf Course Rd. Hamilton Mt. 50840  
 John L. & Anne E. Brown 112 Doran Lane Hamilton Mt. 50840

We, the petitioners being more than \_\_\_\_\_ percent of the freeholders of property described in the petition signed on MARCH 14, 1979 and by the attached map do respectfully request that the following restrictions be adopted for said property, thereby creating an agricultural-residential district.

- X Ronald R. & Mary C. White 119 Bundy Lane  
Emily M. Linville 108 Roosevelt Lane  
James C. Brant & Lisa C. Brant 103 Grundy Lane  
X Robert R. & Donald Taylor 122 Roosevelt Ln  
Lloyd R. & Mary H. Wei 116 Roosevelt Lane  
X H. & P. Treece 314 Doran Lane  
Louise & Nicholas 106 Bundy Lane  
Lessie O. Asher 322 Doran Lane  
Edna Maxine Osburn 322 Doran Lane  
X Charles E. & Maurine S. Treece 312 Doran Lane  
Jeanette O. Geinen 320 Doran Lane  
Donald Cox King & Diane M. King 109 Roosevelt Lane  
Robert E. & Joyce Ann H. King 318 Doran Lane  
Melford Overdahl & Dorothy M. Overdahl 320 Grantdale Rd  
Elvira R. Fry 410 Grantdale Rd  
Mary Jane O. Dickens 502 Grantdale Rd  
Joseph C. & Dorothy E. Palmer 500 Grantdale Rd  
X J. Russell & Margaret M. Russell 401 SE Grantdale Rd  
Donald Lloyd Sargent & Gale B. Sargent 706 Kent Ln. Hamilton  
Ronald N. & Joyce D. Sargent 508 Golf Course Rd  
Oliver Sargent 510 Golf Course Rd  
Donald S. Sargent  
Mary B. Sarge Roosevelt Lane Hamilton

We, the petitioners being more than \_\_\_\_\_ percent of the freeholders of property described in the petition signed on MARCH 14, 1973, and by the attached map do respectfully request that the following restrictions be adopted for said property, thereby creating an agricultural-residential district.

AT THE WESLEYAN CHURCH, 401 Golf Course Road, Hamilton, Mt. 59840

Trustee 1975-1978

*Wm. C. Clark*

Trustee 1978-1979

*Raymond Tramm*

Trustee 1977-1980

*Robert M. Evans*

*Barbara J. Dye* SE 200 Grantsdale Rd.

*Harold R. Little* S.E. 201 Grantsdale Rd.

*George J. Atkins* 209 Grantsdale Rd.

*Flayd C. Bachman* 130 Grantby Lane

*Harold L. Vallozzi* 429 Golf Course Rd.

*Robert P. [unclear]* 116 Grantby Lane

*Joan E. Davis* 107 Grantby Lane

*Grandy D. Nichols* 106 Grantby Lane

*Anna C. O'Brien* 112 Doran Lane

*Mabel O. Cowan* 116 Doran Lane

*Linda H. Ecker* 110 Doran Lane

*Louise M. Granger* 411 Greystone

*Gene O. Crawford* 208 Doran Lane

*Kenneth J. [unclear]* 122 Roosevelt Lane

*Robert J. [unclear]* 427 Golf Course Rd.

*Muriel D. Treese* 312 Doran Lane

*Henry F. Treese*

*June [unclear]* 508 Golf Course Rd.

*Sharon F. Moody* 400 S.E. Grantsdale Rd.

*Bernice O. J. Taylor* 413 Golf Course Rd. Hamilton

do, the petitioners being more than      percent of the freeholders of property  
described in the petition signed on *March 14, 1979*, and by the attached map  
do respectfully request that the following restrictions be adopted for said  
property, thereby creating an agricultural residential district.

*William E. Stover*      *308 Doran Lane*

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*6403*



Now the petitioners being more than 9 percent of the freeholders of property described in the petition signed on Jan 18 1978 and by the attached map do respectfully request that the following restrictions be adopted for said property, thereby creating an agricultural-residential district.

William B. Burton 315 Grand Old Hamilton Mont.  
Wm. G. Campbell Burton 315 Grand Old Hamilton Mont.

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As the petitioners being more than \_\_\_\_\_ percent of the freeholders of property described in the petition signed on \_\_\_\_\_ 19\_\_\_\_, and by the attached map do respectfully request that the following restrictions be adopted for said property, thereon creating an agricultural-residential district.

*Boyd R. Jackson*

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**D. BUILDING REQUIREMENTS AND RESTRICTIONS:**

1. Single Family dwelling only shall be constructed, with a minimum of 1,000 square feet of living space.
2. Modular and prefabricated homes of wood construction will be permitted. Any such home must be at least 24 feet in width, contain a minimum of 1,000 square feet of living space, be located on a permanent foundation, and landscaped.
3. All dwellings and improvements will be of good, sound construction so as to comply with "construction standards" of FHA. Premises will be maintained in a neat and orderly manner.
4. Structures to house domesticated animals shall compliment the general architecture of the surrounding dwellings; no shacks or dilapidated structures will be permitted.
5. All property owners shall build and maintain such fencing as necessary to contain any agricultural animals prior to bringing such animals on the land.
6. All garbage and trash cans shall be stored so as to be screened from view and shall have tight covers to prevent escape of odors and entrance of pets and wild life.
7. Feed lots shall not be permitted.
8. Home Occupation permitted.
9. Exterior signs or display shall be no larger than 2½ feet square and will not be electrically colored or operated.
10. There shall be no exterior storage of materials or exterior indication of the home occupation or variation from the residential character of the principal building.
11. No offensive noise, vibration, electrical interference, smoke, dust, odor, heat or glare shall be produced.

**E. SEVERABILITY:**

Invalidation of any one of these provisions by judgement or court order shall in no way affect any of the other provisions which shall remain in full force and effect.

**ENFORCEMENT:**

Any use or feature in violation of these regulations is hereby found and declared to be unlawful and may be enforced as set out in subparagraphs I and II below.

- I. The Ravalli County Commissioners hereby assume responsibility for the enforcement of only those regulations set out in this subparagraph I. Such enforcement shall be discretionary with the Ravalli County Commissioners and shall be civil in nature. The cost of such enforcement shall be paid by Ravalli County. The regulations for which Ravalli County assumes responsibility for enforcement are as follows:

- B. Space and Bulk Requirements
- C. Permitted Uses

- II. Any interested person may bring any appropriate legal action for the enforcement of any of the regulations which apply to this Planning and Zoning District. The cost of such enforcement shall be borne by the person bringing the legal proceeding. Neither Ravalli County nor the Planning and Zoning District shall be responsible for any of the costs associated with any such enforcement proceeding undertaken pursuant to this subparagraph II.

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PASSED AND ADOPTED this 8th day of June, 1978.

PLANNING AND ZONING COMMISSION

Jim McKinley  
Jim McKinley, County Commissioner

Hugh G. Cumming  
Hugh G. Cumming, County Commissioner

F. J. Williams  
F. J. Williams, County Commissioner

R. David Schurian  
R. David Schurian, County Surveyor

Cheryl Richards  
Cheryl Richards, County Assessor

6403



STATE OF MONTANA }  
COUNTY OF RAVALLI } ss

This is to certify that I, Jim McKinley, did post copies of  
Notice of Public Hearing on petition for creation of Planning and  
Zoning District in Doran Addition area in the following places:

1. On a telephone pole at the northeast corner of the  
Harold Petet property.
2. On a light pole located on the west side of the  
road in front of the Frey property.
3. On a post located at Doran Lane and Lewis Lane  
junction.

Reba Falk  
Reba Falk, Witness

Jim McKinley  
Jim McKinley, Chairman  
Ravalli County Commissioners

Subscribed and sworn to before me this 25th day of April, 1978

Darlene E. Hughes  
Notary Public for the State of Montana  
Residing at Hamilton, Montana  
My Commission expires, April 1, 1980

SEAL

6403

Notice of Public Hearing on Adoption of  
Planning and Zoning District and Adoption of Development  
Pattern Therefor

Notice is hereby given that a petition has been filed for the  
creation of a Planning and Zoning District in the area within the following  
boundaries to-wit:

A tract of land situated in Section 31, Township 6 North, Range 20  
West, P.M.M., described as follows:

Beginning on a point 292 feet west of the NE 1/16 corner of said  
section 31, said point being the NE corner of that tract deeded to  
Kochis in Book 137, Page 346, Deeds, Ravalli County, Montana; thence  
south 394 feet to the NE corner of the Dye tract, as described in  
Deeds, Book 135, Page 350; thence south 322.5 feet to the NE corner  
of the Tossberg tract as described in Deeds, Book 143, Page 50; thence  
south 1282 feet; thence east 310 feet, more or less, to the NE corner  
of the Johnson tract, as described in Deeds, Book 138, Page 222; thence  
south 660 feet to the SE 1/16 corner of said section 31; thence west  
660 feet, more or less, to the NE corner of the Pickens tract as  
described in Deeds, Book 124, Page 181; thence south 660 feet; thence  
west 660 feet; thence north 660 feet to the 1/16 line; thence west  
along Lewis Lane to it's junction with Doran Lane, at the SW 1/16  
corner of said section 31; thence north along Doran Lane approximately  
1/2 mile to it's junction with the Golf Course Road; thence east along  
the Golf Course Road to it's junction with Kurtz Lane; thence north  
along Kurtz Lane to a point 296.2 feet north of the SW corner of Lot 13,  
Block 1, Daly Acres, said point being the NW corner of the Grenfell  
tract as described in Deeds, Book 127, Page 317; thence east along the  
north line of the Grenfell tract to the NW corner of the Leibel tract  
as described in Deeds, Book 131, Page 832; thence east along the  
north line of the Leibel tract to it's junction with the Rim Ditch;  
thence SE along the Rim Ditch to it's junction with the Big Corral Road;  
thence S15°15'W along the Big Corral Road to it's junction with the  
Golf Course Road; thence east along the Golf Course Road to the point  
of beginning.

EXCEPTING THEREFROM, the Mann tract, described as a tract of land in  
lots 12 and 15, Block 1, Daly Acres, Ravalli County, Montana, according  
to official plat thereof, described as beginning at a point on easterly  
line of said lot 12 and south 15°15' west 497.5 feet from the northeast  
corner of lot 12; thence from said point of beginning, south 15°15' west  
44.50 feet; thence north 89°50' west 250.0 feet; thence north 7°45'  
east 302.55 feet; thence south 37°10' east 190.10 feet along west  
side of a Main Lateral Ditch; thence south 42°28' east 193.00 feet  
along said ditch to point of beginning.

The proposed Zoning Area contains approximately 172 acres.

Map of area is on file with said petition.

6403

That pursuant to such petition, the Board of County Commissioners create and appoint a Planning and Zoning Commission. That the Planning and Zoning Commission will, on the 11th of May, 1978, at the hour of 10:00 a.m. at the office of the County Commissioners in the Court-house in Hamilton, Montana, hold a public hearing at which the Commission will consider:

1. The creation of a Planning and Zoning District within the boundaries aforesaid.
2. The adoption of a development pattern for said district and the building and use restrictions to be made applicable thereto.

The Commission will consider the types of activity that may be conducted therein and the existing non-conforming uses which may be continued.

All persons affected by the proposed Planning and Zoning District will be given an opportunity to be heard; to contest or support the adoption of such development district by the Planning and Zoning Commission and the adoption of a development plan therefor.

BY ORDER OF THE PLANNING AND ZONING COMMISSION, dated the 14th day of April, 1978.

  
Jim McKinley, Chairman

Publish April 25, 1978



RESOLUTION NO. 184

WHEREAS, a petition was duly filed with the Board of County Commissioners of Ravalli County, petitioning for the creation of a Planning and Zoning District in the area within the boundaries as described in Exhibit "A" attached hereto and with this reference made a part hereof.

WHEREAS, it appears that more than 60% of the freeholders affected thereby have signed said petition which is in due form.

NOW, THEREFORE, it is ordered that a Planning and Zoning District, embracing the lands within the boundaries aforesaid, is created.


IT IS FURTHER ORDERED that a Planning and Zoning Commission be created and the persons appointed thereon are: The County Commissioners of Ravalli County, being Jim McKinley, Hugh G. Cumming and F.T. Williams; the County Assessor of Ravalli County, being Cheryl A. Richards; the County Surveyor of Ravalli County, being R. David Schurlan.

IT IS FURTHER ORDERED that the Planning and Zoning Commission proceed in accordance with the provisions of Title 16, Chapter 41, R.C.M. 1947, as amended.

DATED this 20th day of April, 1978.

BOARD OF COUNTY COMMISSIONERS  
RAVALLI COUNTY, MONTANA

  
Jim McKinley, Chairman

  
Hugh G. Cumming, Member

  
F.T. Williams, Member

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# AREA DESCRIPTION

## VOLUNTARY ZONING

### DORAN ADDITION AREA--HAMILTON, MONTANA

A tract of land situated in Section 31, T6N, R20W, P.M.M., described as follows:

Beginning on a point 292 feet west of the NE 1/16 corner of said section 31, said point being the NE corner of that tract deeded to Kochis in Book 137, Page 346, Deeds, Ravalli County, Montana; thence south 394 feet to the NE corner of the Dye tract, as described in Deeds, Book 135, Page 350; thence south 322.5 feet to the NE corner of the Tossberg tract as described in Deeds, Book 143, Page 50; thence south 1282 feet; thence east 310 feet, more or less, to the NE corner of the Johnson tract, as described in Deeds, Book 138, Page 222; thence south 660 feet to the SE 1/16 corner of said section 31; thence west 660 feet, more or less, to the NE corner of the Pickens tract as described in Deeds, Book 124, Page 181; thence south 660 feet; thence west 660 feet; thence north 660 feet to the 1/16 line; thence west along Lewis Lane to it's junction with Doran Lane, at the SW 1/16 corner of said section 31; thence north along Doran Lane approximately 1/2 mile to it's junction with the Golf Course Road; thence east along the Golf Course Road to it's junction with Kurtz Lane; thence north along Kurtz Lane to a point 296.2 feet north of the SW corner of Lot 13, Block 1, DALY ACRES, said point being the NW corner of the Grenfell tract as described in Deeds, Book 127, Page 317; thence east along the north line of the Grenfell tract to the NW corner of the Leibel tract as described in Deeds, Book 131, Page 332; thence east along the north line of the Leibel tract to it's junction with the Rim Ditch; thence SE along the Rim Ditch to it's junction with the Big Corral Road; thence S15°15'W along the Big Corral Road to it's junction with the Golf Course Road; thence east along the Golf Course Road to the point of beginning.

Excepting therefrom, the Mann tract, described as a tract of land in Lots 12 and 15, Block 1, DALY ACRES, Ravalli County, Montana, according to official plat thereof, described as beginning at a point on easterly line of said Lot 12 and south 15°15' west 497.5 feet from the northeast corner of Lot 12, thence from said point of beginning south 15°15' west 44.50 feet; thence north 80°50' west 250.0 feet; thence north 7°45' east 302.55 feet; thence south 37°10' east 150.10 feet along west side of a Main Lateral Ditch; thence south 42°28' east 193.00 feet along said ditch to point of beginning.

The Proposed Zoning Area contains approximately 172 acres.

*J. W. Powell*  
Registered Land Surveyor

Montana Registration 2196-3

February 23, 1978

6403

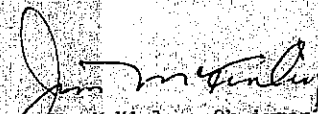
STATE OF MONTANA

COUNTY OF RAVALLI

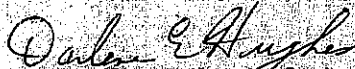
ss

I, \_\_\_\_\_, do hereby certify that I, Jim McKinley, did post copies of Notice of Public Hearing on petition for creation of Planning and Zoning District in Doran Addition area in the following places:

1. On a telephone pole at the northeast corner of the Harold Petet property.
2. On a light pole in front of the Dale Dye property.
3. On a sign post at Doran Lane and Lewis Lane junction.

  
Jim McKinley, Chairman  
RAVALLI COUNTY COMMISSIONERS

Subscribed and sworn to before me this 28th day of March, 1978.

  
Notary Public for the State of Montana  
Residing at Hamilton, Montana  
My commission expires: April 1, 1980

SEAL

6403

Notice of Public Hearing on Adoption of  
Planning and Zoning District and Adoption of Development  
Pattern Therefor

Notice is hereby given that a petition has been filed for the creation of a Planning and Zoning District in the area within the following boundaries to-wit:

A tract of land situated in Section 31, Township 6 North, Range 20 West, P.M.M., described as follows:

Beginning on a point 292 feet west of the NE 1/16 corner of said section 31, said point being the NE corner of that tract deeded to Kochis in Book 137, Page 346, Deeds, Ravalli County, Montana; thence south 394 feet to the NE corner of the Dye tract, as described in Deeds, Book 135, Page 350; thence south 322.5 feet to the NE corner of the Tossberg tract as described in Deeds, Book 143, Page 50; thence south 1282 feet; thence east 310 feet, more or less, to the NE corner of the Johnson tract, as described in Deeds, Book 138, Page 222; thence south 660 feet to the SE 1/16 corner of said section 31; thence west 660 feet, more or less, to the NE corner of the Pickens tract as described in Deeds, Book 124, Page 181; thence south 660 feet; thence west 660 feet; thence north 660 feet to the 1/16 line; thence west along Lewis Lane to it's junction with Doran Lane, at the SW 1/16 corner of said section 31; thence north along Doran Lane approximately 1/2 mile to it's junction with the Golf Course Road; thence east along the Golf Course Road to it's junction with Kurtz Lane; thence north along Kurtz Lane to a point 296.2 feet north of the SW corner of lot 13, Block 1, Daly Acres, said point being the NW corner of the Grenfell tract as described in Deeds, Book 127, Page 317; thence east along the north line of the Grenfell tract to the NW corner of the Leibel tract as described in Deeds, Book 131, Page 832; thence east along the north line of the Leibel tract to it's junction with the Rim Ditch; thence SE along the Rim Ditch to it's junction with the Big Corral Road; thence S15°15'W along the Big Corral Road to it's junction with the Golf Course Road; thence east along the Golf Course Road to the point of beginning.

EXCEPTING THEREFROM, the Mann tract, described as a tract of land in Lots 12 and 15, Block 1, Daly Acres, Ravalli County, Montana, according to official plat thereof, described as beginning at a point on easterly line of said Lot 12 and south 15°15' west 497.5 feet from the northeast corner of Lot 12; thence from said point of beginning south 15°15' west 44.50 feet; thence north 89°50' west 250.0 feet; thence north 7°45' east 302.55 feet; thence south 37°10' east 150.10 feet along west side of a Main Lateral Ditch; thence south 42°28' east 193.00 feet along said ditch to point of beginning.

The proposed Zoning Area contains approximately 172 acres.

Map of area is on file with said petition.

6403

That pursuant to such petition, the Board of County Commissioners create and appoint a Planning and Zoning Commission. That the Planning and Zoning Commission will, on the 13th day of April, 1978, at the hour of 10:00 a.m. at the office of the County Commissioners in the Court-house in Hamilton, Montana, hold a public hearing at which the Commission will consider:

1. The creation of a Planning and Zoning District within the boundaries aforesaid.
2. The adoption of a development pattern for said district and the building and use restrictions to be made applicable thereto.

The Commission will consider the types of activity that may be conducted therein and the existing non-conforming uses which may be continued.

All persons affected by the proposed Planning and Zoning District will be given an opportunity to be heard; to contest or support the adoption of such development district by the Planning and Zoning Commission and the adoption of a development plan therefor.

BY ORDER OF THE PLANNING AND ZONING COMMISSION, dated the 27th  
day of March, 1978.

Publish March 29, 1978

6403



Resolution No. 189

WHEREAS, this Board did on March 14, 1978 receive a petition requesting the zoning of an area as described in Exhibit "A" attached hereto and by this reference made a part hereof.

WHEREAS, the petition was signed by more than sixty percent (60%) of the freeholders within such area, and thereafter public hearing was held, as required by law, by the Ravalli County Planning and Zoning Commission on May 11, 1978 and thereafter the Commission met again on June 8, 1978 at which time the petition was granted.

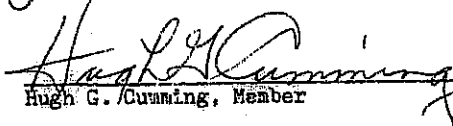
WHEREAS, Planning and Zoning Commission Resolution No. 13 containing the provisions for regulations controlling the zoning of area petitioned for was passed and adopted by the Ravalli County Planning and Zoning Commission under date June 8, 1978.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Ravalli County, Montana, do hereby approve and accept the recommendations of the County Planning and Zoning Commission and hereby the resolutions granting said petition for creation of Ravalli County Planning and Zoning District No. 18.

PASSED AND ADOPTED this 19th day of June 1978.

BOARD OF COUNTY COMMISSIONERS  
Ravalli County, Montana

  
Jim McKinley, Chairman

  
Hugh G. Cumming, Member

  
F. T. Williams, Member

6403

EXHIBIT "A"

AREA DESCRIPTION

VOLUNTARY ZONING

DORAN ADDITION AREA---HAMILTON, MONTANA

A tract of land situated in Section 31, T6N, R20W, P.M.M., described as follows:

Beginning on a point 292 feet west of the NE 1/16 corner of said section 31, said point being the NE corner of that tract deeded to Kochis in Book 137, Page 346, Deeds, Ravalli County, Montana; thence south 394 feet to the NE corner of the Dye tract, as described in Deeds, Book 135, Page 350; thence south 322.5 feet to the NE corner of the Tossberg tract, as described in Deeds, Book 143, Page 50; thence south 1292 feet; thence east 310 feet, more or less, to the NE corner of the Johnson tract, as described in Deeds, Book 138, Page 222; thence south 660 feet to the SE 1/16 corner of said section 31; thence west 660 feet, more or less, to the NE corner of the Pickens tract as described in Deeds, Book 124, Page 181; thence south 660 feet; thence west 660 feet; thence north 660 feet to the 1/16 line; thence west along Lewis Lane to it's junction with Doran Lane, at the SW 1/16 corner of said section 31; thence north along Doran Lane approximately 1/2 mile to it's junction with the Golf Course Road; thence east along the Golf Course Road to it's junction with Kurtz Lane; thence north along Kurtz Lane to a point 296.2 feet north of the SW corner of Lot 13, Block 1, DALY ACRES, said point being the NW corner of the Grenfell tract as described in Deeds, Book 127, Page 317; thence east along the north line of the Grenfell tract to the NW corner of the Leibcl tract as described in Deeds, Book 131, Page 832; thence east along the north line of the Leibcl tract to it's junction with the Rim Ditch; thence SE along the Rim Ditch to it's junction with the Big Corral Road; thence S15°15'W along the Big Corral road to it's junction with the Golf Course Road; thence east along the Golf Course Road to the point of beginning.

Excepting therefrom, the Mann tract, described as a tract of land in Lots 12 and 15, Block 1, DALY ACRES, Ravalli County, Montana, according to official plat thereof, described as beginning at a point on easterly line of said Lot 12 and south 15°15' west 497.5 feet from the northeast corner of Lot 12, thence from said point of beginning south 15°15' west 44.50 feet; thence north 80°50' west 250.0 feet; thence north 7°45' east 302.55 feet; thence south 37°10' east 150.10 feet along west side of a Main Lateral Ditch; thence south 42°28' east 193.00 feet along said ditch to point of beginning.

The Proposed Zoning Area contains approximately 172 acres.

*J. M. Powell*  
Registered Land Surveyor

Montana Registration 2196-3  
February 23, 1973

6403

RESOLUTION NO. 13

BE IT RESOLVED, that whereas a petition was filed with the Board of County Commissioners of Ravalli County, Montana, for the creation of a Planning and Zoning District in an area within the boundaries described in said petition and shown on map submitted therewith, and,

WHEREAS, the petition was filed by more than sixty percent (60%) of the freeholders within such area, and,

WHEREAS, the County Commissioners thereupon appointed a Planning and Zoning Commission in accordance with the provisions of Chapter 41, Title 16, R.C.M. 1947, as amended, and,

WHEREAS, the Planning and Zoning Commission thereafter, by order, directed that notice of a public hearing be given as required by law, and such notice was thereafter given and a public hearing held.

NOW THEREFORE, it is ordered and this does order that there is hereby created Ravalli County Planning and Zoning District No. 18, said district is more particularly described in Exhibit "A" attached hereto and with this reference made a part hereof.

Map of area is on file with said petition.

IT IS FURTHER ORDERED, and this does order, that the following shall govern the use of lands and structures within the Planning and Zoning District

No. 18 :

A. INTENT

This district recognizes the existence of rural areas that will come under pressure for residential development. This zone provides for a transitional low density residential district between urbanized areas and agricultural uses, as well as provides a zone that may be used to meet residential needs while limiting density to recognize environmental concerns. Planned unit developments and planned variations are encouraged to preserve agricultural land and to enhance environmental amenities found in rural areas.

B. SPACE AND BULK REQUIREMENTS

Maximum residential density ..... One (1) dwelling per 1 acres  
Minimum yard - front ..... Twenty-five (25) feet  
                  - side ..... Fifteen (15) feet  
                  - rear ..... Twenty-five (25) feet  
Maximum building height ..... Thirty (30) feet

C. PERMITTED USES

1. Single-family dwelling
2. No Mobile Homes
3. Modular Homes
4. Accessory buildings and uses

6403

AREA DESCRIPTION

VOLUNTARY ZONING

DORAN ADDITION AREA---HAMILTON, MONTANA

A tract of land situated in Section 31, T6N, R20W, P.M.M., described as follows:

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Excepting therefrom, the Mann tract, described as a tract of land in Lots 12 and 13, block 1, DALY ACRES, Ravalli County, Montana, according to official plat thereof, described as beginning at a point on easterly line of said Lot 12 and south 15°15' west 497.5 feet from the northeast corner of Lot 12, thence from said point of beginning south 15°15' west 44.50 feet; thence north 89°50' west 250.0 feet; thence north 7°45' east 302.55 feet; thence south 37°10' east 150.10 feet along west side of a Main Lateral Ditch; thence south 42°28' east 193.00 feet along said ditch to point of beginning.

The Proposed Zoning Area contains approximately 172 acres.

*S.M. Powell*  
Registered Land Surveyor

Montana Registration 2196-S

February 23, 1978

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*Dash & Duplex*

RESOLUTION NO. 282

RE: REQUEST FOR ZONING VARIANCE

APPLICANT: HAMILTON WESLEYAN CHURCH

ADDRESS: 401 Golf Course Road, Hamilton, Mt.

WHEREAS, a request for enforcement of zoning regulations of Planning and Zoning District No. 18 was received on August 4, 1981, from F. B. Tossberg; and,

WHEREAS, a Petition for Zoning Variance was received on August 5, 1981, from the Hamilton Wesleyan Church Board of Directors; and,

WHEREAS, it appears that the home in question is a modular home which is allowed in Planning and Zoning District No. 18; and,

WHEREAS, it appears that the home is not detrimental to the intent of the use of the premises within the zoning district,

NOW, THEREFORE, it is ordered that the variance be and is hereby granted for the installation and use of the modular or mobile home, and the same shall be allowed to remain on the premises at 401 Golf Course Road, Hamilton, Montana, in accordance with the regulations of Planning and Zoning District No. 18.

DATED this 18th day of September, 1981.

BOARD OF COUNTY COMMISSIONERS  
Ravalli County, Montana

Harold White  
Harold White, Chairman

Hugh G. Cumming  
Hugh G. Cumming, Member

Frank T. Williams  
Frank T. Williams, Member

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IN THE OFFICE OF THE COMMISSIONERS OF RAVALLI COUNTY

IN THE MATTER OF THE PETITION  
FOR VARIANCE FROM THE TERMS OF  
ZONING DISTRICT NO. 18.

ORDER

The Petition of Emily Linville for variance from permitted use of premises in Zoning District No. 18 to permit the maintenance by the petitioner of a mobile home on her premises located at 108 Roosevelt Lane within the zoning district, for the remainder of her lifetime, was received on August 11, 1982, and supported by petitions of ten other residents within the district.

On September 21, 1982, notice was given to all landowners within the the zoning district of public hearing to be held at 2:00 p.m. on October 12, 1982. At the public hearing, fifteen people from within the district appeared and several spoke in behalf of the petition, and no opposition to the petition was presented.

From the evidence presented to the Commissioners, the Ravalli County Commissioners make the following:

FINDINGS OF FACT

1. That the petitioner is a widow whose health prohibits her from performing all of the constant maintenance and upkeep necessary to her premises.
2. That the petitioner had formerly maintained a mobile home on the premises at the time of the creation of the zoning district, but has agreed to waive her right to claim the pre-existing condition as a means of retaining a mobile home on the premises if a variance is granted.
3. That many persons residing within the zoning district indicated their support for the variance, and no one presented objections thereto.
4. That Commissioner Tossberg, at the commencement of the public hearing, announced that as there was a potential conflict of interest in his participating in the proceedings in any form, he was withdrawing from participating in both the hearing and any deliberation thereafter.



From the foregoing Findings of Fact, the Board of County Commissioners makes the following:

ORDER

IT IS HEREBY ORDERED that Emily Linville be and she is hereby granted a variance from the prohibited uses of the premises contained in the Resolution creating Zoning District No. 18, and shall be permitted to place a mobile home on her premises to provide quarters for persons assisting her in the maintenance of her premises, and she shall be permitted to maintain a mobile home thereon during the remainder of her lifetime or for so long as she shall own the premises.

DATED this 21 day of October, 1982.

BOARD OF COUNTY COMMISSIONERS  
Ravalli County, Montana

*Harold White*  
Harold White, Chairman

*F. T. Williams*  
F. T. Williams, Member

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RESOLUTION NO. 339

RE: REQUEST FOR ZONING VARIANCE

APPLICANT: William Bowland

RE: Variance to Zoning District #18, Doran Addition (P.F. #6403)

WHEREAS a Petition for Zoning Variance was received on June 25, 1984, from William Bowland, said petition being signed by more than 60% of the freeholders within the described boundaries of Zoning District #18; and

WHEREAS it appears that the request to place a garage within 5 feet of the East boundary line is not detrimental to the intent of the use of the premises within the zoning district; and

WHEREAS no one appeared in opposition of the variance being requested;

NOW THEREFORE, it is ORDERED that the variance be and is hereby granted allowing the petitioner and his successors to place a garage within 5 feet of the East boundary line of the property described in Book 139 of Deeds, page 703.

DATED this 10th day of July, 1984.

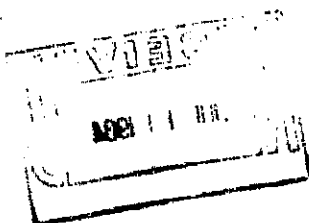
BOARD OF COUNTY COMMISSIONERS  
Ravalli County, Montana

*F. T. Williams*  
F. T. Williams, Chairman

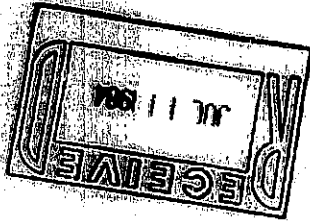
*F. B. Tossberg*  
F. B. Tossberg, Member

ATTEST:

*Darlene E. Hughes*  
Clerk and Recorder



6403



Recd. # 339  
Zoning dist # 18

INDEXED  
285471

I certify that I received and read this

instrument on this 11<sup>th</sup>

day of July, 1934, at 2:12

o'clock P. at St. Louis

William L. Hughes  
COUNTY RECORDER

W. L. Hughes  
Deputy

W. L. Hughes  
Deputy